

## DECLARATION

SOLE/JOINT INVENTOR  
ORIGINAL/SUBSTITUTE/CIP

As a below named inventor, I hereby declare that: my residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first, and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: ***Well Lost Circulation Additive, Lost Circulation Treatment Fluid Made Therefrom, And Method of Minimizing Lost Circulation in a Subterranean Formation*** as described in the specification of **Application Serial No. 08/962,215** filed **October 31, 1997**.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above; that I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application; that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months prior to this application; and that I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations § 1.56(a). Such information is material when it is not cumulative to information already of record or being made of record in the application, and

(1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) it refutes, or is inconsistent with, a position the applicant has taken or may take in:

- (i) opposing an argument of unpatentability relied on by the Office, or
- (ii) asserting an argument of patentability.

I hereby **do not** claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificates or provisional priority under Title 35, United States Code § 119(e).

I hereby **do not** claim the benefit under Title 35, United States Code § 120.

HEREBY APPOINT J. M. (MARK) GILBRETH, REG. NO. 33,388, ROBERT W. STROZIER, REG. NO. 34,024 AND LISA KIMES JONES, REG. NO. 41,878 TO PROSECUTE THIS APPLICATION AND TO TRANSACT ALL BUSINESS IN THE PATENT AND TRADEMARK OFFICE IN CONNECTION THEREWITH. PLEASE DIRECT ALL CORRESPONDENCE TO:

GILBRETH & STROZIER, P.C., P.O. Box 61305, Houston, Texas 77208-1305 TEL. 713/ 227-1200.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR	INVENTOR'S SIGNATURE	DATE
Boyce D. Burts, Jr.	<i>Boyce D. Burts, Jr.</i>	4/1/98
RESIDENCE	200 Running Water Avenue Maurice, La 70555	CITIZENSHIP
POST OFFICE ADDRESS	United States of America	
P. O. Box 82007, Lafayette, Louisiana 70598-2007		

Applicant or Patentee: **Bo. Burts, Jr.**  
Serial or Patent No.: **08/962,215**  
Filed or Issued: **October 31, 1997**

Attorney's Office No.: **23267/15**

For: **Lost Circulation Additive, Lost Circulation Treatment Fluid Made Therefrom, And Method of Minimizing Lost Circulation in a Subterranean Formation**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN **Bottom Line Industries, Inc.**  
ADDRESS OF CONCERN **P. O. Box 82007  
Lafayette, Louisiana 70598-2007**

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled as named above and by inventor as named above described in

- ☐ the specification filed herewith  
☒ Application Serial No. **08/962,215** filed **October 31, 1997**.  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING **Boyce D. Burts, Jr.**

TITLE OF PERSON OTHER THAN OWNER **President**

ADDRESS OF PERSON SIGNING **200 Remington Allen Drive, Metairie, LA 70005**

SIGNATURE

*Boyce D. Burts, Jr.*

DATE

**4/1/98**